

# ROBERTS & ROBERTS

"An East Texas law firm with a history of helping injured people."

## SAFETY & THE LAW

Spring 2007

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**ROBERTS & ROBERTS**

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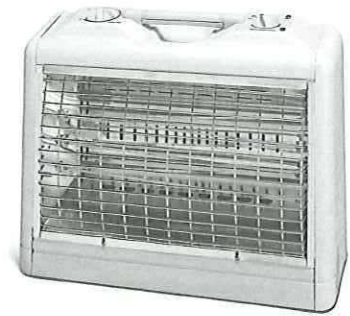
From left to right:

BRUCE L. ROBERTS • R.E. (FELIX) COX  
RANDELL (RANDY) C. ROBERTS  
SEAN W. HESTER • KAREN R. ROBERTS

To learn more about us, visit our website at  
[www.RobertsLawFirm.com](http://www.RobertsLawFirm.com)

## IS YOUR SPACE HEATER A HAZARD?

The cold winter months often send people reaching for the thermostat. When you turn on the heat, if you are using portable, baseboard, or in-wall heaters, the Electrical Safety Foundation International reminds you not to turn off your attention to basic safety principles. ESFI offers these important safety tips for portable, baseboard and in-wall heaters.



1. Electric in-wall fan heaters should be cleaned at least twice a year. ESFI suggests cleaning prior to the onset of heating season and spring cleaning, after the heater has been used for a season.
2. Keep all furniture, draperies, and other household objects at least three feet from in-wall fan heaters and twelve inches away from baseboard heaters. Keep portable space heaters at least three feet from all flammable materials.
3. Plug portable space heaters directly into the outlet—do not use an extension cord.
4. If an in-wall or baseboard heater is shut off at the circuit breaker, be sure to lock or tag the circuit breaker to prevent someone from inadvertently turning it back on.
5. If you are installing a new heater, read all information labels, follow all safety precautions, and verify that the electrical supply wires are rated high enough for the electrical demand of the heater.
6. Some portable space heaters, electric in-wall fan heaters, and baseboard heaters have been subject to recalls. Check your brand and model number and visit [www.recalls.gov](http://www.recalls.gov) for possible information on your heater.

By following these simple safety principles, you can help avoid potential hazards resulting from space heater use.

Roberts & Roberts is listed in the Martindale-Hubbell® Bar Register of Preeminent Lawyers™.

# Are You Safely Using Woodworking Tools?

Woodworking tools can be dangerous if not used properly. The Ontario-based Canadian Center for Occupational Health and Safety offers these tips to keep you safe while getting the job done right.

1. Read the owner's manual carefully. Only use woodworking machines that you have been trained to use properly and safely.
2. Always wear safety glasses or goggles.
3. Wear dust masks when required.
4. Wear hearing protection that is suitable for the level and frequency of the noise you are exposed to in the woodworking area. If you have trouble hearing someone speak from three feet away, the noise level from the machine is too high.
5. Use gloves to protect hands from splinters when handling wood, but do not wear them near rotating blades and other machinery parts where the gloves can get caught in moving parts.
6. Before operating any equipment or machine, make sure that the machine guard is in position, is in good working condition, and guards the machine adequately. Check and adjust all other safety devices.
7. Make sure that the equipment is properly grounded before use.
8. Check that keys and adjusting wrenches are removed from the machine before turning on the power.
9. Inspect stock for nails or other materials before cutting, planing, routing or carrying out similar activities.
10. Make sure that all machines have start and stop buttons within easy and convenient reach of the operator. Start buttons should be protected by collars so that accidental contact will not start the machine.
11. Ensure that all cutting tools and blades are clean, sharp, and in good working order so that they will cut freely without force.



By following these simple tips, you can help protect yourself when using woodworking tools.

## ROBERTS & ROBERTS

### *Our Attorneys Specialize in Representing Victims of:*

- Bodily Injury and Wrongful Death
- Truck, Auto, and Motorcycle Accidents
- Unsafe Equipment, Products and Toys
- Toxic Chemical Exposures
- Unsafe Medical Devices and Drugs
- Watercraft and Swimming Accidents
- Unsafe Premises
- Insurance Claims
- Industrial and Construction Accidents
- Falls, Fires, and Electrical Accidents
- Sports, Guns, and Recreational Accidents
- Professional Malpractice, Including Legal Malpractice
- Oil Field Accidents
- Nursing Home Neglect
- On-The-Job Injuries

#### THE INITIAL CONSULTATION IS FREE.

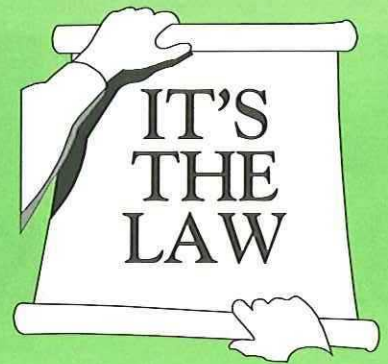
The attorney's fee is a percentage of your recovery. You are not obligated to pay any attorney's fee, court costs, or other legal expenses unless you are compensated.

**If you know of someone who is injured, call Roberts & Roberts...**  
***The call costs you nothing. It can mean everything.***

**903-597-6000 • 1-800-248-6000**

**All calls are answered 24 hours a day, 7 days a week.**

[www.RobertsLawFirm.com](http://www.RobertsLawFirm.com)



## YOUR RIGHTS IF INJURED BY A VIOLENT CRIME

### **Question:**

I was injured as a result of a violent crime. Do I have any rights?

### **Answer:**

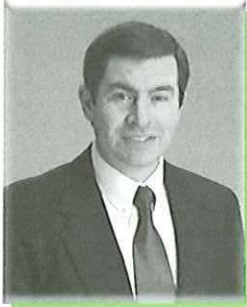
**Yes.** In addition to criminal prosecution of your attacker, you may be entitled to compensation under the Crime Victims Compensation Act. This law set up a fund that provides limited benefits to innocent victims of violent crimes. It pays for some medical care, funeral expenses, lost earnings, and other benefits, up to a maximum of \$25,000.00.

To be eligible, an adult victim must promptly report the crime to the police, cooperate fully with law enforcement, and file a claim with the Office of the Attorney General of Texas in Austin within three years of the crime.



This newsletter is printed on recycled paper.

# THE ATTORNEYS OF ROBERTS & ROBERTS



## RANDELL (RANDY) C. ROBERTS

Randy has been recognized in Time, Newsweek, Ladies Home Journal, and the Texas Lawyer as well as on CNN and NBC's Dateline for his role in uncovering the documents that led to the recall of the Firestone Radial ATX and Wilderness lines of tires. His ground breaking case against Firestone is featured in McGraw-Hill's college textbook on corporate crime entitled Criminology and the Criminal Justice System. Randy has been named a "Texas Super Lawyer" by Texas Monthly because of his success in representing people injured by unsafe products. He is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization.



## BRUCE L. ROBERTS

Bruce attended the University of Texas School of Law, graduating in 1981. After working for a year in the Twelfth Court of Appeals for the State of Texas, he joined his brother forming the law firm now known as Roberts & Roberts. In addition to being Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, he has also been recognized as a Civil Trial Advocate by the National Board of Civil Trial Advocacy. He is a member of the State Bar College of the State of Texas.



## KAREN R. ROBERTS

Karen received her J.D. in 1994. She devotes her practice to representing people injured by unsafe practices and products. She serves as a Trustee with ATLA's National College of Advocacy (NCA) and has attained the status of "Fellow" with the NCA. She is Chair-elect of the Texas Trial Lawyer's Board of Advocates. Karen is also a member of the College of the State Bar of Texas, an honorary society chartered by the Supreme Court of Texas.



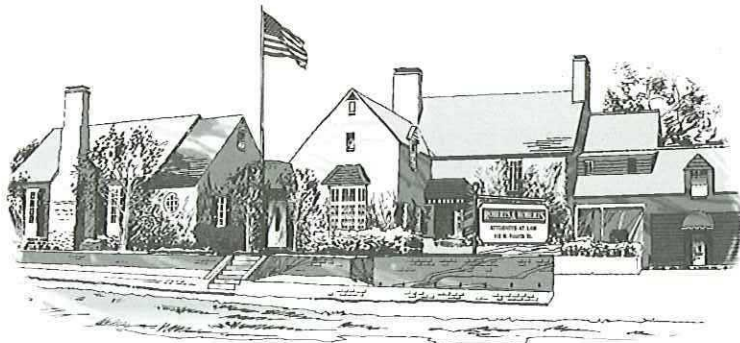
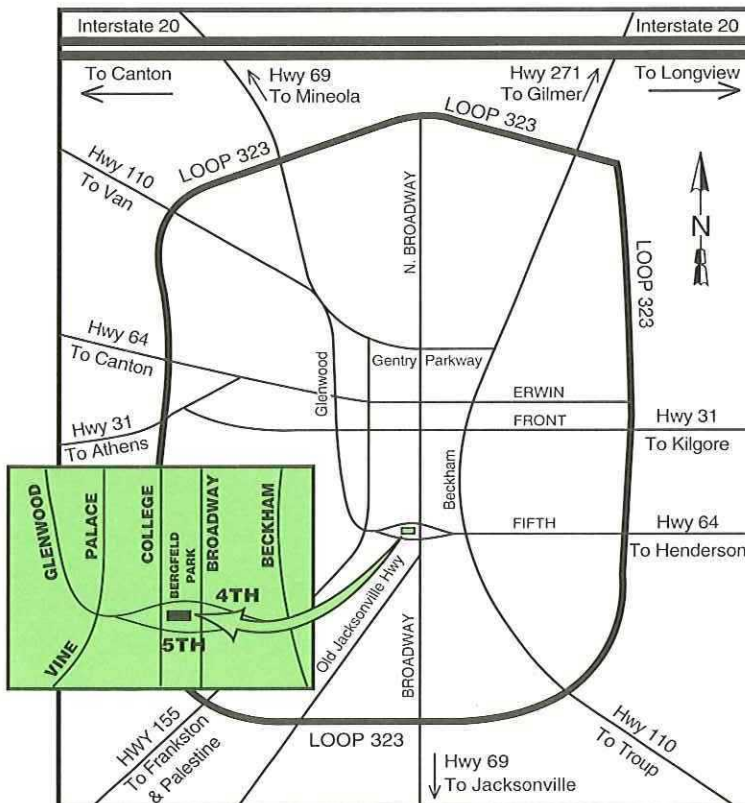
## SEAN W. HESTER

Sean attended Baylor University Law School where he earned his Doctorate of Jurisprudence (J.D.) in 1992. Sean practiced law as a solo practitioner representing injured people for many years before joining the law firm of Roberts and Roberts. In addition to trying lawsuits, Sean has handled several appeals. Sean was selected as a "Texas Super Lawyer-Rising Star" by Texas Monthly which is an honor given to only 2.5% of Texas Attorneys each year. Sean is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization.



## STEVEN S. SCHULTE

Steven received a Doctorate of Jurisprudence (J.D.) and a Master of Laws (LL.M.) in Taxation from Southern Methodist University's Dedman School of Law in 2005 and in 2006 respectively. While in law school, Steven participated in the SMU civil legal clinic as a student attorney and as chief counsel. In addition to the civil clinic, Steven has served as a legal research assistant for a sole practitioner in Dallas, Texas. Steven also has experience working as an extern with the United States Department of Justice, Bureau of Alcohol, Tobacco and Firearms.



Located across from Bergfeld Park on Broadway

Return Service Requested

**CONSUMER PRODUCT WARNINGS & RECALLS**

■ **WOOD-BURNING FIREPLACES** - CFM Corp. recalled approximately 1,300 Sequoia wood-burning fireplaces because the units can have insufficient insulation or a missing weld, which poses a fire hazard. Recalled units are model numbers EWF30, EWF36, and EWF36A. Please contact your local CFM dealer.

■ **CANDLES** - Home Fragrance Holding Inc. recalled approximately 413,000 cement candles because they can unexpectedly flare, posing a fire hazard. The affected units are models: Cement Aspen Flower (white), SKUs 2115564, 2118176, 2118189; Cement Biscotti (khaki), SKUs 2115523, 2115536, 2115549; and Cement Citrus Cilantro (green), SKUs 2115499, 2115508, 2115510. Please contact Pier 1 Imports retail stores for a refund or store credit.

■ **JUMP DRIVES** - Lexar Media Co. recalled approximately 66,000 Lexar Jump Drives because they can overheat, posing a risk of burns. The recall affects Lexar JumpDrive FireFly and Lexar JumpDrive Secure II G.B. Please contact Lexar to receive a free replacement product.

■ **HUSQVARNA LAWN TRACTORS** - Husqvarna Outdoor Products Inc. recalled approximately 174,000 lawn tractors because the fuel line can separate from the fuel tank outlet, creating a fire hazard if fuel spills out. The recall affects lawn tractors sold under the brand names Husqvarna, Craftsman, Poulan Pro, Poulan, Weed Eater, Southern States and Murray. The applicable firms are providing free repairs.

■ **HUMIDIFIERS** - Hunter Fan Co. recalled approximately 29,000 Hunter Fan warm mist humidifiers because water from the humidifier can leak into the unit's electrical compartment, posing a fire hazard. The recall affects white or black plastic humidifiers with blue or green tinted water tanks. "Hunter" and "NiteGlo" are printed on the humidifier. Please contact Hunter for a replacement part.

■ **KITE TUBES** - Sportsstuff Inc. recalled approximately 19,000 Wego Kite Tubes because they have been involved in a number of injury incidents. The recall affects 10-foot-wide, circular, yellow inflatable watercraft designed to be towed behind a power boat, model 53-5000. Please contact Sportsstuff Inc. for a free replacement product.

■ **HAIR DRYERS** - Style Tronics Inc. recalled approximately 19,300 hand-held hair dryers because they are not equipped with an immersion protection plug to prevent electrocution if the hair dryer falls into water. The recalled models include "Monica" (model name and number SW-117, written on the handle) and "Turbo 1200" (model number DS-507 written on the back of the handle). Please contact Style Tronics Inc. for a refund.

■ **GAS GRILLS** - Nexgrill Industries Inc. recalled approximately 16,000 gas grills because, if the hose that connects the propane tank to the burner manifold runs up too close to the firebox, the heat can cause the hose to detach from the burner manifold, causing a gas leak and a fire hazard. The recall affects 720-0025. Please contact Nexgrill for a free self-installation retrofit heat shield assembly.

■ **ELECTRIC SMOKERS** - Masterbuilt Manufacturing Inc. recalled approximately 10,700 electric smokers because smoldering wood chips used in the wood chip box can ignite into flames when the door of the unit is opened, posing a risk of burn injuries. The recall affects electric smokehouse model ESQ30B with a black powder-coated outer shell, and model ESQ30S with a stainless-steel outer shell. Both models have the Masterbuilt Electric Smokehouse logo on the front door. Please contact Masterbuilt for further details.

■ **REEBOK WINDSUIT** - Adjni Apparel Group recalled approximately 55,000 Reebok children's windsuits. The Reebok logo applique on the clear rubber zipper pull on the jacket can detach, posing a choking or aspiration hazard to young children. The recall affects models: Full-zip boys' polyester jacket and pants sets with a cotton lining and the name "Reebok" and/or Reebok's Vector logo embroidered on the chest of the jacket. Please return the recalled suit in exchange for receiving a free replacement suit, or cut off and discard the clear rubber zipper pull and continue using the original suits.

■ **HONDA CARS** - Honda Motor Co. recalled approximately 30,000 units of Honda Civic and Acura Integra models in the United States and Canada because the ignition key could fall out of the cylinder during automatic shift changes, except when the vehicle is in park. The recall affects Honda Civic and Acura Integra vehicles manufactured between May 2001 and March 2002. Honda is consulting with the National Highway Traffic Safety Administration about whether to make the defect a recall or a product update. Please contact your local Honda or Acura dealer for further information.

■ **TOYOTA VEHICLES** - Toyota Motor Corp. recalled approximately one million Toyota cars worldwide because the linkage connecting the steering wheel rod and the transmission box could become loose or develop cracks when a large force is repeatedly applied to the connection. The recall affects the 2004-2006 Toyota Prius equipped with an electric power steering system manufactured in Japan between August 1, 2003 and November 8, 2005. Please contact your local Toyota dealer for further information.

■ **JEEP GRAND CHEROKEES** - The Chrysler Group recalled approximately 117,700 Jeep Grand Cherokee SUVs to replace heated seat elements. The recall affects 2003-2004 Jeep Grand Cherokee SUVs manufactured September 10, 2002 through June 30, 2004. Please contact your local Chrysler dealer for more information.

You may obtain more information about product recalls by visiting [www.RobertsLawFirm.com](http://www.RobertsLawFirm.com) or by calling the Consumer Product Safety Commission at 1-800-638-2772, the U.S. Department of Transportation Auto Safety Hotline at 1-800-424-9393, or the Food and Drug Administration at 1-800-332-1088.

**ROBERTS & ROBERTS**

*Nationally Recognized as  
Fighting For Injured People...*

CNN – September 6, 2000  
 TIME – September 11, 2000  
 DATELINE NBC – September 13, 2000  
 NEWSWEEK – October 9, 2000  
 TEXAS LAWYER – December 18, 2000  
 TIME ANNUAL – January 1, 2001  
 TEXAS MONTHLY – October 15, 2005  
 TEXAS SUPER LAWYERS – October 22, 2005  
 TEXAS MONTHLY – February 17, 2006

*...and Getting Results!\**

<b>Defective Product</b>	<b>\$5,750,000</b>
<b>Auto Accident</b>	<b>\$5,000,000</b>
<b>Gas Explosion</b>	<b>\$4,100,000</b>
<b>Electrical Accident</b>	<b>\$4,000,000</b>
<b>Trucking Accident</b>	<b>\$3,250,000</b>
<b>Oil Field Accident</b>	<b>\$2,300,000</b>
<b>Inadequate Premises Security</b>	<b>\$1,725,000</b>
<b>Loading Dock Accident</b>	<b>\$1,665,000</b>
<b>Auto Accident</b>	<b>\$1,520,000</b>
<b>Lumber Company Accident</b>	<b>\$1,500,000</b>
<b>Auto Accident</b>	<b>\$1,500,000</b>
<b>Defective Product</b>	<b>\$1,400,000</b>
<b>Railroad Crossing Accident</b>	<b>\$1,200,000</b>
<b>Auto Accident</b>	<b>\$1,125,000</b>
<b>Construction Accident</b>	<b>\$1,100,000</b>

*\*Results obtained depend on facts of each case.*